

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:

CELSIUS NETWORK LLC, *et al.*,<sup>1</sup>

Debtors.

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)  
) Chapter 11  
)  
) Case No. 22-10964 (MG)  
)  
) (Jointly Administered)  
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**FIRST SUPPLEMENTAL DECLARATION OF ANTHONY M. SACCULLO IN  
SUPPORT OF DEBTORS' APPLICATION FOR AUTHORITY TO RETAIN AND  
EMPLOY A.M. SACCULLO LEGAL, LLC AS SPECIAL COUNSEL TO THE  
DEBTORS EFFECTIVE AS OF DECEMBER 1, 2022**

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I, Anthony M. Saccullo, being duly sworn, state the following under penalty of perjury:

1. I am a member of A.M. Saccullo Legal, LLC ("AMSL"), which maintains offices for the practice of law at 27 Crimson King Drive, Bear, Delaware 19701. I am an attorney-at-law, duly admitted and in good standing to practice in the State of Delaware, the United States District Court for the District of Delaware, and the United States Court of Appeals for the Third Circuit.

2. Unless otherwise stated in this Declaration, I have personal knowledge of the facts set forth herein. To the extent that any information disclosed herein requires supplementation, amendment, or modification upon AMSL's completion of further analysis or as additional information becomes available to it, a supplemental declaration will be filed with the Court.

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); Celsius US Holding LLC (7956); GK8 Ltd. (1209); GK8 UK Limited (0893); and GK8 USA LLC (9450). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 50 Harrison Street, Suite 209F, Hoboken, New Jersey 07030.

### **Background**

3. On July 13, 2022 (the “Petition Date”), each of the above-captioned debtors and debtors in possession, (collectively, the “Debtors”) filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. On February 3, 2023, the Debtors filed an application to employ and retain AMSL as special counsel for the Debtors [Docket No. 1984] (the “Application”) pursuant to section 327(e) of the Bankruptcy Code, Rules 2014(a) and 2016 of the Federal Rules of Bankruptcy Procedure, and Rules 2014-1 and 2016-1 of the Local Bankruptcy Rules for the Southern District of New York. My declaration in support of the Application (the “Original Declaration”) was attached to the Application as Exhibit B.

4. On May 2, 2023, in connection with the Application, Mark T. Hurford submitted the *Declaration of Mark T. Hurford in Support of the Declaration of Anthony M. Saccullo in Support of Debtors’ Application for Authority to Retain and Employ A.M. Saccullo Legal, LLC as Special Counsel to the Debtors Effective as of December 1, 2022* [Docket No. 2579].

5. I submit this supplemental declaration on behalf of AMSL (the “First Supplemental Declaration”) in further support of the Application and as required under the *Order Pursuant to Section 327(e) of the Bankruptcy Code Authorizing the Retention and Employment of A.M. Saccullo Legal, LLC as Special Counsel to the Debtors Effective as of December 1, 2022* [Docket No. 2142] (the “Retention Order”).

### **AMSL’s Rates and Billing Practices**

6. In the Original Declaration, I disclosed AMSL’s billing rates in effect for calendar years 2022 and 2023. I also disclosed that the billing rates are usually revised annually, on or around January 1 of each year, as is customary with AMSL’s policies. Pursuant to the

Retention Order, AMSL must provide notice of changes to its billing rates during these chapter 11 cases.

7. In accordance the Retention Order and those policies, I am providing notice that the billing rates for myself and special counsel of AMSL will change effective January 1, 2024. The primary attorneys that work on this matter and their respective hourly rates for 2024 are as follows:

<b>Professional &amp; Year Admitted to Delaware Bar</b>	<b>Position</b>	<b>2024 Hourly Rate</b>
Anthony M. Saccullo (2001)	Founder	\$675
Mark T. Hurford (1994)	Attorney <sup>2</sup>	\$625
Thomas Kovach (2000)	Attorney	\$625
Mary (Meg) Augustine (2004)	Attorney	\$585

8. These hourly rates and corresponding rate structure are the same as the hourly rates and corresponding rate structure that AMSL uses in other restructuring matters, as well as similar complex corporate and litigation matters, whether in court or otherwise, regardless of whether a fee application is required. These rates and the rate structure reflect that such restructuring and other complex matters typically are national in scope and involve great complexity, high stakes, and severe time pressures.

9. AMSL's hourly rates are designed to compensate AMSL fairly for the work of its professionals and to cover fixed and routine overhead expenses. Hourly rates vary with the experience and seniority of the individuals assigned. AMSL has substantial experience, knowledge, and expertise in bankruptcy cases, including committee representations and

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<sup>2</sup> Mr. Hurford, Mr. Kovach and Ms. Augustine are special counsel to AMSL, who are compensated as independent contractors of AMSL based, in substantial part, on fees received by AMSL from Mr. Hurford's, Mr. Kovach's and Ms. Augustine's practice. Substantially all of Mr. Hurford's, Mr. Kovach's and Ms. Augustine's legal services are rendered through AMSL; Mr. Hurford, Mr. Kovach and Ms. Augustine are regular attorneys of AMSL; their practices are fully integrated into AMSL and are featured attorneys on AMSL's marketing materials.

participations, debtor and creditors rights, lien investigations and litigation, and commercial and suretyship litigation. The professionals at AMSL also have substantial experience representing independent boards of directors, litigation trustees, and liquidating trustees and have participated in numerous bankruptcy cases.

10. The Debtors have consented these hourly rates for 2024.

11. In my Original Declaration, I disclosed that AMSL did not employ paraprofessionals and that the services customarily rendered by such individuals were rendered by a third-party service provider at a pre-negotiated expense. As of November 8, 2023, AMSL has retained the services of a paraprofessional to perform services for the firm. The hourly rate for the paraprofessional is \$150 per hour. Some ancillary services may still be provided by a third-party service provider. The expenses charged will continue to be passed through to the estates without mark-up for AMSL.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my information, knowledge, and belief.

Executed on this 14<sup>th</sup> day of December, 2023.

/s/ Anthony M. Saccullo  
Anthony M. Saccullo